

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

**POST-CONFIRMATION MODIFIED
CHAPTER 13 PLAN**

In Re:

DATED: August 5, 2004

Horton, Cornelle M.

DEBTOR
In a joint case,
Debtor means debtors in this plan.

CASE NO.: 04-30658

1. PAYMENTS BY DEBTOR --

- a. As of the date of this plan, the debtor has paid the trustee \$ 150.00.
- b. After the date of this plan, the debtor will pay the trustee \$ 50.00 per month for 31 months, beginning within 30 days after the filing of this plan for a total of \$ 1550.00 or until all allowed claims are paid in full, whichever happens first.
- c. The debtor will also pay the trustee _____.
- d. The debtor will pay the trustee a total of \$ 1550.00 from the date of modification.

2. PAYMENTS BY TRUSTEE- The trustee will make payments only to creditors for which proofs of claim have been filed, make payments monthly as available, and collect the trustee's percentage fee of 10% for a total of \$ 155.00 after modification or such lesser percentage as may be fixed by Attorney General. For purposes of this plan, month one (1) is the month following the month in which the debtor makes the debtor's first payment. Unless ordered otherwise, the trustee will not make any payments until the plan is confirmed. Payments will accumulate and be paid following confirmation.

3. REMAINING PRIORITY CLAIMS—The trustee shall pay in full all claims entitled to priority under § 507, including the following. The amounts listed are estimates only. The trustee shall pay the amounts actually allowed.

Creditor	Estimated Claim	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
a. Attorney Fees	\$ 1333.49*	\$ 45.00	1	30	\$ 1333.49
b. Internal Revenue Svc.	\$ _____	\$ _____	\$ _____	_____	\$ _____
c. MN Dept. of Revenue	\$ _____	\$ _____	\$ _____	_____	\$ _____
d. _____	\$ _____	\$ _____	\$ _____	_____	\$ _____
e. TOTAL					\$ 1333.49

*Includes unpaid fees plus \$225 modification fee.

4. SECURED CLAIMS NOT IN DEFAULT—The following creditors have secured claims. Payments are current and the debtor will continue to make all payments which come due after the date the petition was filed directly to the creditors. The creditors will retain their liens.

- a. _____
- b. _____

5. HOME MORTGAGES REMAINING IN DEFAULT [§ 1322(B)(5)] – The trustee will cure defaults on claims secured only by a security interest in real property that is the debtor's principal residence as follows. The debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The trustee will pay the actual amounts of default.

Creditor	Amount of Default	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
a. _____	\$ _____	\$ _____	_____	_____	\$ _____
b. _____	\$ _____	\$ _____	_____	_____	\$ _____
c. _____	\$ _____	\$ _____	_____	_____	\$ _____
d. TOTAL					\$ _____

6. OTHER LONG-TERM SECURED CLAIMS REMAINING IN DEFAULT [§ 1322(b)(5)] – The trustee will cure defaults on other claims as follows and the debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The trustee will pay the actual amounts of default.

Creditor	Amount of Default	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
a. _____	\$ _____	\$ _____	_____	_____	\$ _____
b. _____	\$ _____	\$ _____	_____	_____	\$ _____
c. _____	\$ _____	\$ _____	_____	_____	\$ _____
d. TOTAL					\$ _____

7. OTHER REMAINING SECURED CLAIMS [§ 1325(a)(5)] – The trustee will make payments to the following secured creditors having a value as of confirmation equal to the amount of the creditor's secured claim. The creditor's allowed claim shall be the creditor's claim or the value of the creditor's interest in the debtor's property, whichever is less. Except for the IRS, creditors shall retain their liens until their secured claim is paid in full, at which time property securing said claim shall vest in the debtor free and clear of any lien, claim or interest of the secured creditor. NOTE: NOTWITHSTANDING A CREDITOR'S PROOF OF CLAIM FILED BEFORE OR AFTER CONFIRMATION, THE AMOUNT LISTED IN THIS PARAGRAPH AS A CREDITOR'S SECURED CLAIM BINDS THE CREDITOR PURSUANT TO 11 U.S.C. § 1327 AND CONFIRMATION OF THE PLAN WILL BE CONSIDERED A DETERMINATION OF THE CREDITOR'S ALLOWED SECURED CLAIM UNDER 11 U.S.C. § 506(A).

**Interest on the following claim(s) has been pre-computed from earlier plan.*

Creditor	Claim Amount	Secured Claim	Estimated Monthly Payment	Estimated Beginning in Month #	Estimated Number of Payments	TOTAL PAYMENTS
a. _____	\$ _____	\$ _____	\$ _____	_____	_____	\$ _____
b. _____	\$ _____	\$ _____	\$ _____	_____	_____	\$ _____
c. _____	\$ _____	\$ _____	\$ _____	_____	_____	\$ _____
d. _____	\$ _____	\$ _____	\$ _____	_____	_____	\$ _____
e. _____	\$ _____	\$ _____	\$ _____	_____	_____	\$ _____
f. TOTAL						\$ _____

8. SEPARATE CLASS OF REMAINING UNSECURED CREDITORS — In addition to the class of unsecured creditors specified in ¶ 9, there shall be a separate class of nonpriority unsecured creditors described as follows: _____

- a. The debtor estimates that the total claims in this class are \$ _____.
- b. The trustee shall pay this class \$ _____.

9. TIMELY FILED REMAINING UNSECURED CREDITORS – The trustee will pay holders of nonpriority unsecured claims for which proofs of claim were timely filed the balance of all payments received by the trustee and not paid under ¶ 2, 3, 5, 6, 7 and 8 their pro rata share of approximately \$61.51 [line 1(d) minus lines 2, 3(c) 5(d), 6(d) and 8(b)].

- a. The debtor estimates that the total unsecured claims held by creditors listed in ¶ 7 are \$ _____.
- b. The debtor estimates that the debtor's total unsecured claims (excluding those in ¶ 7 and ¶ 8) are \$4998.00.
- c. Total estimated unsecured claims are \$ 4998.00 [line 9(a) plus line 9(b)].

10. TARDILY-FILED UNSECURED CREDITORS – All money paid by the debtor to the trustee under ¶ 1, but not distributed by the trustee under ¶ 2, 3, 5, 6, 7, 8, or 9 shall be paid to holders of nonpriority unsecured claims for which proofs of claim were tardily filed.

11. OTHER PROVISIONS – The trustee may distribute any funds that are not allocated above at his/her discretion. To the extent that Child Support is an unsecured claim for AFDC reimbursement, it shall be designated a separate class and paid in full. In the event property tax debts are filed as secured claims, they shall be paid as secured claims, but they shall be paid as set forth in Paragraph 3 or as set forth in Paragraph 6 above. Please note: Child Support Collections is authorized to continue automatic wage withholding for ongoing, post-petition child support. Child Support Collections may obtain, modify and enforce the debtor's current ongoing child support obligation, including medical support and child care, including wage withholding. All of the debtor's projected disposable income in the 3 year period beginning on the date that the first plan payment is due will be applied to make payments under the plan. Any non-exempt proceeds from personal injury claims shall be turned over to the trustee.

12. SUMMARY OF PAYMENTS – Estimated from the date of modification

Trustee's Fee [Line 2]	\$ 155.00
Priority Claims [Line 3(c)]	\$ 1333.49
Home Mortgage Defaults [Line 5(d)].....	\$ _____
Long-Term Debt Defaults [Line 6(d)].....	\$ _____
Other Secured Claims [Line 7(f)].....	\$ _____
Separate Class [Line 8(b)].....	\$ _____
Unsecured Creditors [Line 9].....	\$ 61.51
TOTAL [Must equal Line 1(d)].....	\$ 1555.00

Law Office of Curtis K. Walker
Curtis K. Walker, #113906
Thayer A. K. Butler, #200815
Mary C. Hoben, #335411
4356 Nicollet Avenue South
Minneapolis, MN 55409
(612) 824-4357

Signed _____

Debtor

Signed _____

Debtor

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In re:

Case No. **04-30658**

Hourton, Cormelle Myesha

Debtor(s)

UNSWORN DECLARATION FOR PROOF OF SERVICE

I, Rebecca Johnson, declare under penalty of perjury, that on August 05, 2004, I mailed copies of the foregoing Notice of Hearing and Motion to Confirm Modified Chapter 13 Plan, Postconfirmation Modified Chapter 13 Plan, Memorandum of Facts and law in support of Motion to Confirm Chapter 13 Plan, and proposed Order by first class mail, postage prepaid, to each entity named below and to each entity named on the attached list, at the address stated for each entity:

United States Trustee
1015 United States Courthouse
300 South 4th Street
Minneapolis, MN 55415

Jasmine Z. Keller, Chapter 13 Trustee
310 Plymouth Building
12 South 6th Street
Minneapolis, MN 55402

Executed on: August 05, 2004

/E/ Rebecca Johnson

AUDIT SYSTEMS INCORPORATED
3696 ULMERTON RD SUITE 200
CLEARWATER FL 33762

HEALTHEAST CLINICS
NW 8949
PO BOX 1450
MINNEAPOLIS MN 55485-8949

JC CHRISTENSEN & ASSOCIATES INC
2221 NIAGRA FALLS BLVD
SUITE 29
NIAGARA FALLS NY 14304-5717

KEITH F OSTROSKY DDS
C/O JAMES I ROBERTS
5280 15TH AV SE
ST CLOUD MN 56304

LAW OFFICE OF RICHARD D SEIERSTAD
225 N BENTON DRIVE SUITE 205
PO BOX 566
SAUK RAPIDS MN 56379-0566

MALCOLM S GERALD & ASSOC
332 S MICHIGAN AV STE 600
CHICAGO IL 60604

MESSERLI & KRAMER
3405 ANNAPOLIS LANE NORTH
SUITE 300
PLYMOUTH MN 55447-5344

NCC GROUP INC
10125 CROSSTOWN CIRCLE
SUITE 100
EDEN PRAIRIE MN 55344

NCO FINANCIAL SYSTEMS INC
PO BOX 41417 DEPT 99
PHILADELPHIA PA 19101

NORTH MEMORIAL HEALTH CARE
3300 OAKDALE AV N
ROBBINSDALE MN 55422-2900

NORTHLAND NURSE ANESTHESIA PA
155 S WABASHA ST STE 104
ST PAUL MN 55107

OSI COLLECTION SERVICES
PO BOX 550720
JACKSONVILLE FL 32255-0720

QWEST COMMUNICATIONS
20 E THOMAS ROAD FLR 17
PHOENIX AZ 85012

RECEIVABLE COLLECTION OPERATIONS
7171 MERCY ROAD SUITE 450
OMAHA NE 68106

SPRINT PCS
PO BOX 8077
LONDON KY 40742

UNIVERSITY FAMILY PHYSICIANS
PO BOX 14150
ST PAUL MN 55114

WELLS FARGO
7000 VISTA DRIVE
WEST DES MOINES IA 50266

WOODLAKE CENTRE
SITE 240
6601 LYNDALE AV S
RICHFIELD MN 55423

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In re:

Cormelle Horton

Debtor(s)

SIGNATURE DECLARATION

Case no. BKY 04-30658

☐ PETITION, SCHEDULES & STATEMENTS

☐ CHAPTER 13 PLAN

☐ SCHEDULES AND STATEMENTS ACCOMPANYING VERIFIED CONVERSION

☒ MODIFIED CHAPTER 13 PLAN

☐ OTHER (Please describe: _____)

I [WE], the undersigned debtor(s) or authorized representative of the debtor, make the following declarations under penalty of perjury:

- * The information I have given my attorney and provided in the electronically filed petition, statements, schedules, amendments, and/or chapter 13 plan, as indicated above, is true and correct;
- * The information provided in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case is true and correct;
- * [individual debtors only] If no Social Security Number is included in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case, it is because I do not have a Social Security Number;
- * I consent to my attorney electronically filing with the United States Bankruptcy Court my petition, statements and schedules, amendments and/or chapter 13 plan, as indicated above, together with a scanned image of this Signature Declaration and the completed "Debtor Information Pages," if applicable; and
- * [corporate and partnership debtors only] I have been authorized to file this petition on behalf of the debtor.

Date: 8/5/04

Cormelle Horton

Signature of Debtor or Authorized Representative

X

Signature of Joint Debtor

Printed Name of Debtor or Authorized Representative

Printed Name of Joint Debtor